

**REMARKS**

The Examiner's Action of August 4, 2003 has been received and its contents carefully considered. Reconsideration is respectfully requested in view of the Amendment and the following comments.

Claims 1-3 and 5-9 are currently pending in the instant application. Claims 1-3 and 7-9 have been amended.

**I. Personal Interview of September 9, 2003**

Applicant's representative, Laleh Jalali, would like to thank the Examiner for the gracious interview accorded on September 9, 2003 ("the Interview"). During the Interview, changes to the claims to overcome the formal rejection, and further to overcome the prior art rejections were discussed. Notably, it was agreed that Little et al. do not disclose or suggest precooling a catalyst carrier substrate comprising a transfer substrate and a catalyst on one side thereof from a transfer substrate side of the catalyst carrier substrate.

**II. Rejections under 35 USC 103(a)**

Claims 1-3, 5 and 6 have been rejected under Section 103(a) as being unpatentable over Little et al. in view of Nelson. Claims 7 and 8 have been rejected under Section 103(a) as being unpatentable over Kazuhiko in view of Nelson and Little et al. Claim 9 has been rejected under Section 103(a) as being unpatentable over Kazuhiko in view of Nelson and Little et al, and

further in view of "Pressure-Sensitive Adhesives for Tapes and Labels." Reconsideration is respectfully requested in view of the amendments and the following comments.

As discussed during the Interview, it is submitted that none of the references, either alone or in combination disclose or suggest the following:

(a) an apparatus for manufacturing a solid polymer film and catalyst for a fuel cell, the assembly comprising a solid polymer film and a catalyst deposited, where the apparatus comprises: a heater for preheating the solid polymer film thereby yielding a preheated solid polymer film; a hot press machine for pressing together and heating a catalyst carrier substrate comprising a transfer substrate and a catalyst on one side thereof, and the preheated solid polymer film, while the catalyst and the solid polymer film are in contact thereby forming a joined member; a cooling machine *for cooling the catalyst carrier substrate from its transfer substrate side* before the catalyst comes into contact with the pre-heated solid polymer film; a separating machine for separating the transfer substrate from the joined member thereby forming the assembly; and a cooling machine for cooling the joined member prior to separating the transfer substrate from the joined member, as recited in independent claim 1; OR

(b) a method for manufacturing a solid polymer and catalyst assembly for a fuel cell, the assembly comprising a solid polymer film and a catalyst deposited, the method comprising: preheating said solid polymer film; *precooling a catalyst carrier substrate comprising a transfer substrate and a catalyst on one side thereof from a transfer substrate side of the catalyst carrier substrate*; contacting the catalyst with the preheated solid polymer film; forming a joined member by pressing together and heating the catalyst carrier substrate and the solid polymer film; separating the transfer substrate from the joined member thereby forming the assembly;

and cooling the joined member prior to separating the transfer substrate from the joined member, as recited in independent claim 7

In view of the above, it is submitted that independent claims 1 and 7 are patentable over the cited combination of references. It is further submitted that dependent claims 2, 3, 5, 6, 8 and 9 are likewise patentable over the cited combination of references by virtue of depending from corresponding ones of independent claims 1 and 7, and further for the particular additional features that they recite.

Accordingly, the Examiner is respectfully requested to reconsider and withdraw his rejections of the claims based on Section 103(a).

### **III. Rejection under 35 USC 112, Second Paragraph**

Claim 7 has been rejected under the second paragraph of Section 112, for being indefinite. Reconsideration is respectfully requested in view of the amendments to claim 7 to establish antecedent basis for “the transfer substrate.” In view of the above, the Examiner is respectfully requested to reconsider and withdraw his rejection of claim 7 under the second paragraph of Section 112.

### **IV. Claim Amendments**

In addition to the claim amendments discussed above, as set forth during the Interview, the claims have in addition been amended as to their form in order to place the same in better form for allowance.



CONCLUSION

In view of the foregoing requested amendments and remarks, it is respectfully submitted that entry of the proposed amendments would place presently claims 1-10 in condition for allowance. The Applicant therefore earnestly solicits entry of the amendments and issuance of a Notice of Allowance.

The Examiner is invited to contact the undersigned at (202) 220-4296 to discuss any matter concerning this application.

The Office is authorized to charge any underpayment or credit any overpayment to Kenyon & Kenyon Deposit Account No. 11-0600.

Respectfully submitted,

  
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